



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/923,926	08/06/2001	James Pliny Whitney III	125199-2	9003

22850 7590 08/01/2006

C. IRVIN MCCLELLAND  
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.  
1940 DUKE STREET  
ALEXANDRIA, VA 22314

EXAMINER

KRAMER, JAMES A

ART UNIT PAPER NUMBER

3627

DATE MAILED: 08/01/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/923,926	<b>Applicant(s)</b> WHITNEY, JAMES PLINY	
	<b>Examiner</b> James A. Kramer	<b>Art Unit</b> 3627	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 08 May 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-6,11-18,20-22,27-32,49 and 50 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-6,11-18,20-22,27-32,49 and 50 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-2, 4-6, 11-18, 20-22 and 27-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over [www.bellagio.com](http://www.bellagio.com) (Bellagio) in view of [www.westwardho.com](http://www.westwardho.com) (Westward Ho) and Official Notice.

Examiner notes the use of "The WayBack Machine" at [www.archive.org](http://www.archive.org) in prosecuting this Application. The Internet Archive is a comprehensive library of Internet sites and other cultural artifacts in digital form. The Wayback Machine is a free service allowing people to access and use archived versions of past web pages within the Internet Archive. Visitors to the Wayback Machine can type in a URL, select a date range, and then will be able to search and view the Internet Archive's enormous collection of web sites, dating back to 1996 and comprising over 10 billion web pages. Examiner notes that the [www.bellagio.com](http://www.bellagio.com) site used in this rejection was archived on Nov. 29, 2001 and the [www.westwardho.com](http://www.westwardho.com) site was archived on May 5, 2001.

Bellagio teaches an Internet reservation site on one screen with three subsection. The first is a calendar section, the second is an inventory information section and the third a reservation information section. Bellagio allows a user to select consecutive dates from the

Art Unit: 3627

calendar section and then automatically updates the information in the inventory information section (e.g. shows a listing of which type of room is available on the date(s) selected in the calendar section).

Examiner notes that the site allows the user to complete the reservation for the room for the selected dates. Bellagio further allows the user to view a picture of the room in the inventory information section. Bellagio further teaches a visual representation of a calendar in the calendar section, which includes a current month and a subsequent month. Ballgio also teaches a plurality of rooms and an availability of the plurality of rooms. The reservation information section of Bellagio teaches a reservation summary (as required by claim 14). Finally Bellagio teaches a link to information outside the single window.

Bellagio does not teach updating the calendar section upon selection of a room in the inventory information section.

Westward Ho teaches a hotel reservation system with a calendar section and an inventory information section. Upon selection of a particular room in the inventory information section the calendar section is automatically updated with availability information.

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the reservation system of Bellagio in order to include the ability to update the calendar section when a user selects a particular room in the inventory information section as taught by Westward Ho. One of ordinary skill in the art would have been motivated to combine the references as taught in order to provide a user with as much information as possible when booking a room.

Bellagio further does not teach the reservation section receives specifically credit card payment information. As noted in the previous Office Action the reservation section of Bellagio does receive payment information in the form of a promo or group code. However, this section does not receive credit card information.

Examiner takes Official Notice that at the time of the present invention it was old and well known in the art to pay for online hotel reservations with credit card information. In fact, Applicant admits as much on the 3<sup>rd</sup> paragraph of page 9 in the amendment filed 5/8/06. Applicant states, "Once a user makes a selection from each of the calendar section and inventory section of the interface, they must then click the "continue" link in order to proceed to a different window to input credit card information and complete the reservation request." Examiner notes that clearly it was old and well known to pay for online hotel reservations with a credit card.

As such it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the reservation section of Bellagio to include receiving credit card information to pay for the online hotel reservation, as was old and well known in the art. One of ordinary skill in the art at the time of the invention would have been motivated to make such a modification in order to expedite the reservation process.

Examiner notes here the modification suggested above appears to be a simple rearrangement of parts (i.e. adding the field that receives the credit card information to the front page rather than having it on a 2<sup>nd</sup> page.). If Applicant believes that such a rearrangement presents an unexpected result or would not be possible based on the arrangement of Bellagio, Examiner encourages Applicant to present such arguments or facts. However, as it stands

Art Unit: 3627

Examiner believes that no such issues are present and therefore this is, as pointed out above, nothing more than rearranging the parts of the present online reservation system.

***Response to Arguments***

Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

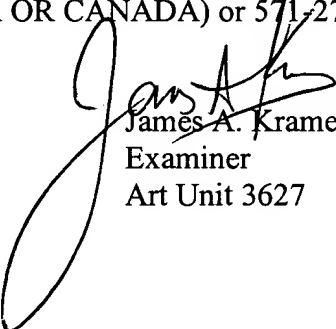
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to James A. Kramer whose telephone number is (571) 272 6783. The examiner can normally be reached on Monday - Friday (8AM - 5PM).

Art Unit: 3627

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alexander Kalinowski can be reached on (571) 272 6771. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



James A. Kramer  
Examiner  
Art Unit 3627

jak  
7/19/06